

OHIO TURNPIKE COMMISSION

Resolution Validating Award of Contract for Toll Collection System and Customer Service Center, Project No. 64-08-01

WHEREAS, pursuant to Resolution 8-2008, adopted on March 17, 2008, the Commission awarded the Contract for Project No. 64-08-01 to TransCore L.P. of Hummelstown, Pennsylvania for the integration of a new Toll Collection System and Customer Service Center; and

WHEREAS, the Commission received a protest to the Contract award from Electronic Transaction Consultants Corporation (“ETCC”) of Richardson, Texas; and

WHEREAS, the Protest Provision in the RFP for the Toll Collection System and Customer Service Center states that the Commission’s “Director of Contracts Administration will conduct a meeting with the unsuccessful Respondent and will provide the reasons that the Respondent was not selected,” and further allows for the unsuccessful Respondent to “provide any reasons why it believes it should have been selected over the Selected Integrator;” and

WHEREAS, the Director of Contracts Administration has reported to the Executive Director that, on April 24, 2008, she and the Project Manager for Project No. 64-08-01 met with representatives from ETCC via teleconference; and

WHEREAS, in her report, the Director of Contracts Administration concludes that ETCC has not provided a single valid or compelling reason why that firm should have been selected over TransCore, nor was ETCC able to point out any specific weaknesses in the TransCore Pricing Proposal that would justify the OTC spending millions more with ETCC; and

WHEREAS, the Director of Contracts Administration further concluded in her report that ETCC’s concerns about the fairness of the selection process are unfounded and without any merit, as demonstrated by the extensive details provided to the Commission in the March 2008 Evaluation Summary, which show that a thorough, fair and objective evaluation process was conducted, and she has recommended that the OTC reject the ETCC protest and validate the Contract award for Project No. 64-08-01 for the new Toll Collection System and Customer Service Center to TransCore; and

WHEREAS, the Executive Director has reviewed the report of the Director of Contracts Administration and, predicated upon such analysis, has made his recommendation to the Commission that the protest of ETCC be rejected, and that the Contract award to TransCore for Project No. 64-08-01 be validated; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby rejects the protest filed by Electronic Transaction Consultants Corporation; and

FURTHER RESOLVED that the Commission hereby directs the Executive Director and Director of Contracts Administration to: 1) execute the Contract with **TransCore L.P. of Hummelstown, Pennsylvania** to furnish the new Toll Collection System and Customer Service Center to the Commission in the form heretofore previously prescribed by the Commission in Resolution 8-2008; 2) to take any and all action necessary or proper to carry out the terms of said RFP and said Contract; 3) to return to each of the RFP Respondents their proposal guaranty, when appropriate; and 4) to take any and all action necessary or proper to carry out the terms of said Contract.

(Resolution No. 15- 2008 adopted May 12, 2008)